

REMARKS

The Office Action dated July 1, 2008 has been received and reviewed. This response, submitted along with a Request for Continued Examination (RCE) and a Petition for a Three Month Extension of Time, is directed to that action.

The applicants respectfully request reconsideration in view of the foregoing amendments and the following remarks.

Claim Rejections- 35 U.S.C. §112

The Examiner rejected claim 16 under 35 U.S.C. §112, second paragraph as lacking antecedent basis for the phrase “containers are joined together” because claim 3, from which claim 16 depends, only recites a process from making a single container. The amendment to claim 16 herein is believed to render this rejection moot.

Similarly, the Examiner rejected claim 18 under the same statute as lacking antecedent basis for the phrase “the fabric care, surface care, or dishwashing composition”. The amendment to claim 18, whereby the objectionable phrase has been replaced by “the detergent composition”, is believed to render this rejection moot.

Claim Rejections- 35 U.S.C. §102

The Examiner rejected claims 1-24 under 35 U.S.C. §102(b) as anticipated by WO 02/092454. The applicants respectfully traverse this rejection.

The presently claimed invention specifically requires that the containers be kept in a substantially anhydrous environment or conditions prior to filling with detergent composition. The container of each embodiment of the presently claimed invention is

only exposed to moisture *after* the sealing step.

Contrarily, WO '454 does not teach keeping the containers in an anhydrous environment prior to sealing. Moreover, there is absolutely nothing in WO '454 that would suggest or even hint that anhydrous conditions are inherent in that process. Indeed, if the anhydrous condition were considered critical or even preferred in WO '454, then it would at least be mentioned; it is not.

In the present Office Action, the Examiner stated that term “anhydrous” was interpreted as keeping the container from being wetted with water. Therefore, because WO '454 does not specifically teach wetting the container with water, the present claim limitation that the container be kept under substantially anhydrous conditions is met. The applicants respectfully, but vigorously disagree with this interpretation.

The term “anhydrous” is well known to those of ordinary skill in the art to mean having substantially no water. It follows that “anhydrous conditions”, as used in the present claim, be interpreted to mean that the surrounding environment has substantially no water. This includes the surrounding atmosphere (i.e. air) where the containers are produced. Paragraph [0021] of the presently claimed invention, reproduced below, describes how the conditions where the containers are produced become substantially anhydrous.

[0021] The anhydrous retention conditions may be effected using common environmental controlled means. As an example, if the containers are to be stored before filling the storage conditions need to be controlled so that the humidity level is low. This can be achieved by the use of dehumidifiers controlling the atmosphere of the area where the containers are stored. Alternatively a number of containers may be stored in a sealed enclosure (such as a water-tight bag/box, e.g. a metal/plastic vessel) from which the bulk of the available moisture is withdrawn. The latter method is particularly suitable, where the containers need to be transported from the site of formation to the site of filling.

It is clear from the present specification that the term “anhydrous conditions” means more than just not being wetted by water; it means that the surrounding atmospheric environment contains substantially no water. There is absolutely nothing to suggest that the atmospheric environment is substantially devoid of water in WO ‘454. Moreover, because air contains a varying, but measureable amount of water, it is understood that active steps need to be taken to remove water from air. The WO ‘454 reference does not teach any step of removing water content from the surrounding atmosphere, and therefore the understanding of the skilled artisan is that WO ‘454 does not teach keeping a water-soluble container under anhydrous conditions during the manufacturing process.

Based on the foregoing, the applicants respectfully submit that WO ‘454 does not teach all of the limitations of the presently claimed invention, and therefore cannot anticipate the present claims. Accordingly, the applicants respectfully request that the Examiner withdraw this rejection.

The applicants believe the claims are now in condition for allowance, and such favorable action is respectfully requested. If any issues remain, the resolution of which can be advanced through a telephone conference, the Examiner is invited to contact the applicant's attorney at the phone number listed below.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicant respectfully requests that this be considered a petition therefor. The Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,

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